

Tribal Fisheries Management

Introduction

Indian tribes have always lived on every major watershed in what is now the State of Washington. From time immemorial, tribal cultures, spirituality and economies have centered on fishing, hunting and gathering the natural resources of this region.

In the mid-1850s, when the United States sought to make land available in the Pacific Northwest for non-Indian settlers, the tribes signed treaties through which they reserved that which was most important to them. Among those reserved rights was the right to harvest salmon in all of their usual and accustomed fishing places.

That promise was broken in the years that followed, but in 1974 a federal district court reaffirmed the tribes' reserved rights in *U.S. v. Washington* – the Boldt Decision – which was subsequently upheld by the U.S. Supreme Court. This ruling established the tribes as co-managers of the salmon resource.

Tribal Fisheries Management

Each treaty Indian tribe in western Washington typically maintains an individual fishery management staff that includes a fisheries manager who oversees staff working in the areas of harvest management, enhancement, habitat protection and enforcement. In some cases, several tribes have joined together to form collective fishery management organizations.

The fisheries manager receives direction from the tribal fish committee and tribal council, which balances harvest needs with the needs of the resource.



Hoh tribal member Eugene Sampson tends his net while fishing on the Hoh River along the Washington Coast.

Tribal harvest management staff develop fishery plans and run size forecasts, assess spawning escapement needs and monitor stock status, among other duties.

The tribal hatchery manager, with the aid of support staff, implements the tribe's enhancement program, overseeing hatchery programming and production.

Tribal habitat staff are involved in issues ranging from forest practices to urban growth. They also conduct in-stream habitat improvement and restoration projects.

Each tribe or tribal cooperative also maintains an enforcement program to ensure that fishing regulations are observed by tribal members. Tribal enforcement officers work cooperatively with state and federal fish and wildlife enforcement personnel to protect natural resources. Violations of tribal fishing laws are referred to tribal courts for prosecution.

The tribes also conduct a treaty fisherman identification and vessel registration program. When a treaty fisherman sells his catch, his identification number is included on a fish receiving ticket that records the number, weight, species and location of harvest. The information is an important part of the Treaty Indian Catch Monitoring Program managed by the Northwest Indian Fisheries Commission. Catch data, which is critical to harvest management, is shared on a same-day basis with the Washington Department of Fish and Wildlife (WDFW).

Salmon Management Processes

From the moment of its birth, a Pacific Northwest salmon begins an epic journey through waters off the U.S. and Canadian coasts, and through waters in the North Pacific before returning to the stream of its birth to spawn and die.

Fisheries in Puget Sound, the Strait of Juan de Fuca and nearshore coastal waters are co-managed by the treaty Indian tribes and WDFW.

As a sovereign government, each tribe regulates and coordinates its own fishery management program within its specific, adjudicated Usual and Accustomed fishing area. Tribal management jurisdiction includes six species of salmon, halibut, herring, shellfish and other marine species. Tribes conduct fisheries off the Washington coast, in coastal rivers and bays, and throughout the inland waters of Puget Sound and its tributaries.

WDFW manages the state's share of the salmon resource, as well as other food fish and shellfish in this area for commercial and sport user groups.

From preseason planning to post-season data sharing, the tribes and state work cooperatively to ensure that the needs of both the resources and those who depend on them are met.

The Pacific Fishery Management Council (PFMC) develops and monitors fishery management plans for waters from three to 200 miles off the Washington coast. Tribal and state representatives hold seats on the council and participate on technical committees.

In the PFMC management cycle, a wide range of factors, such as abundance, harvest quotas and economic impacts are evaluated before an ocean fisheries management plan is submitted to the Commerce Secretary for final approval and adoption. Fisheries management regimes developed by the tribes and state for waters within three miles of the coast must be consistent with PFMC plans.

Adult salmon returning to Washington migrate through both U.S. and Canadian waters and are harvested by fishermen from both countries. The 1985 Pacific Salmon Treaty, developed through cooperation by the tribes, state governments, U.S. and Canadian federal governments, and sport and commercial fishing groups, helps fulfill conservation goals and the right of each country to reap the benefit of its own fisheries enhancement efforts.

The treaty is implemented by the eight-member bilateral Pacific Salmon Commission (PSC), which includes representatives of federal, state and tribal governments. The PSC does not regulate salmon fisheries, but provides regulatory advice and recommendations, and a forum for the two countries to reach agreement on mutual fisheries issues. Three regional panels provide technical and regulatory advice to the PSC. In years when treaty agreements are not reached, the tribes have worked to ensure fisheries are still managed responsibly. Indian and non-Indian harvests are taken from a portion of the run surplus to escapement needs (the number of fish needed to spawn and perpetuate a run at a desired level) of the stock, or from a percentage of the overall run size.

In addition to serving at the policy level on the PSC and its panels, tribal representatives also participate on the many committees and work groups providing technical support for the treaty's implementation. Tribes also conduct research as an integral part of the treaty's implementation.

The Northwest Indian Fisheries Commission

The Northwest Indian Fisheries Commission (NWIFC) was created in 1974 by the treaty Indian tribes to assist them in conducting orderly and biologically-sound fisheries and to provide member tribes with a single, unified voice on fisheries management and conservation issues. Member tribes are Nisqually, Squaxin Island, Puyallup, Jamestown S'Klallam, Port Gamble S'Klallam, Lower Elwha Klallam, Skokomish, Swinomish, Sauk-Suiattle, Upper Skagit, Tulalip, Makah, Stillaguamish, Muckleshoot, Suquamish, Nooksack, Lummi, Quinault and Quileute.

The tribes select commissioners who develop policy and provide direction. The commission's executive director supervises the staff that implements the policies and fisheries management activities approved by the commissioners. The NWIFC staff employs about 60 full-time employees in its Administration, Fishery Services, Habitat Services, and Information and Education Services divisions.

The Administration Division includes the executive director, human resources and operations administrator, director of fishery services, fishery and legislative policy analysts, and clerical and accounting departments.

The Fishery Services Program supports and promotes the fishery programs of member tribes by providing technical assistance, coordinating management programs and representing tribal management policies. The program is comprised of the Fishery Management and Planning Division, Quantitative Services Division and Enhancement Services Division, and provides services ranging from harvest management planning to database management and fish health.

The Habitat Services Division provides coordination, representation and technical and policy assistance to member tribes on fish habitat and other environmental issues. In addition, the program coordinates tribal participation in forest management processes and conducts the statewide Coordinated Tribal Water Quality Program, among other activities.

The Information and Education Division provides comprehensive public relations services to member tribes. The division produces news releases, publications and videos, and responds to numerous information requests from the public.

2000 Tribal Fisheries Program Activities

Following is a synopsis of tribal fisheries management activities during the past year:

- In response to Endangered Species Act (ESA) listings for Puget Sound salmon species, tribes bolstered emphasis on implementation of the tribal/state Wild Stock Restoration Initiative – a comprehensive effort aimed at restoring wild salmon stocks and their habitat to support the region's fisheries and economies.
- Participated in Hatchery Reform efforts to protect genetic resources and improve survival of hatchery fish.

- Implemented salmon habitat restoration, research, wild stock supplementation and other projects as part of the Pacific Coastal Salmon Recovery initiative.
- Developed joint fishery management regimes with the State of Washington for waters throughout western Washington; participated in development of ocean fishery management regimes through the Pacific Fishery Management Council.
- Conducted extensive data collection and monitoring necessary for Pacific Salmon Treaty implementation.
- Developed inter-tribal allocation plans to allow harvest opportunities for all tribes while protecting weak salmon runs.
- Closely monitored fishery harvest levels to ensure targets were not being exceeded and conducted in-season test fisheries to update run forecasts.
- Collected and compiled catch data in cooperation with the state for fisheries management planning and allocation.
- Conducted spawning surveys to confirm estimates of the number of salmon needed to sustain salmon runs at a desired level.
- Released nearly 43 million healthy salmon and steelhead from tribal hatcheries into western Washington waters. Returning adults will be harvested by both Indians and non-Indians.

- Participated in cooperative enhancement projects with state and federal agencies, sportfishing groups and others.
- Tagged millions of juvenile hatchery salmon to obtain information on ocean survival, hatchery program effectiveness and other factors.
- Conducted salmon habitat restoration projects on rivers throughout western Washington, such as repairing culverts to aid fish passage.

Conclusion

Natural resource management in the State of Washington today faces great challenges. The forces of economic progress and resource preservation are colliding, as evidenced by ESA listings for Puget Sound salmon by the National Marine Fisheries Service. Only with the combined effort of the tribes, federal, state and local governments, industry and others with a stake in natural resource management can the balance be found that will assure our children of both healthy natural resources and a healthy economy.

For More Information

For more information about the natural resource management activities of the treaty Indian tribes in western Washington, contact the Northwest Indian Fisheries Commission, 6730 Martin Way E., Olympia, WA 98516; or call (360) 438-1180. Visit the NWIFC home page at www.nwifc.wa.gov.